

LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

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DATE: September 8, 2003
FROM: KATHLEEN ROLLINGS-McDONALD, Acting Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #5: Waiver of Legal Counsel Conflict for City
of Fontana Annexations -- LAFCO 2943 and LAFCO 2946

RECOMMENDATION:

Authorize the Chair to sign the attached "waiver of conflict" consent forms for LAFCO 2943 and LAFCO 2946 – Annexations to the City of Fontana.

BACKGROUND INFORMATION:

LAFCO 2943 and LAFCO 2946 are proposed annexations to the City of Fontana and at the present time are anticipated to be non-controversial. LAFCO Legal Counsel, Mr. Clark H. Alsop, of the law firm Best, Best, and Krieger, also acts as City Attorney for the City of Fontana. Mr. Alsop has provided the Commission with letters indicating his potential dual representation and requesting that the matter of potential conflict be considered by the Commission.

Given the anticipation that these applications will be non-controversial, staff recommends that the Commission authorize the Chair to sign the consent for each proposal. Absent this consent, staff will need to seek special counsel for representation and ask for a deposit for these services from the applicants.

KRM

Attachments